

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

DARREN M. DUMONT,	)	
	)	
	)	
Plaintiff	)	
	)	
v.	)	CIVIL ACTION
	)	NO. 04-12307DPW
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant	)	

**JOINT STATEMENT OF THE PARTIES  
FOR INITIAL SCHEDULING CONFERENCE**

In accordance with the court's Notice of Scheduling Conference dated February 25, 2005, the parties hereby submit their Joint Statement for the initial scheduling conference to be conducted on April 7, 2005.

I. Proposed Agenda

- Proposed pretrial schedule, including discovery plan.

II. Proposed Pretrial Schedule, Including Discovery Plan

The parties believe that a two-stage discovery process may be in order, the first to give each side an opportunity to evaluate the case, and the second to complete preparation for trial, if necessary.

First stage:

- |  |                 |
|--|-----------------|
| 1. Amendments to the pleadings on or before  | April 29, 2005  |
| 2. Service of written discovery requests on or before<br>(Requests for Admissions may be served at any time) | May 27, 2005    |
| 3. Fact witness depositions completed on or before   | August 26, 2005 |

(The parties may preserve witnesses' testimony for trial by means of video deposition in

accordance with the Federal Rules of Civil Procedure, Federal Rules of Evidence, and Local Rules.)

Second stage:

If necessary, stage two would consist of the following:

1. Plaintiff's designation of experts, expert disclosures, and answers to expert interrogatories on or before September 16, 2005
2. Defendant's designation of experts, expert disclosures, and answers to expert interrogatories on or before October 14, 2005
3. Completion of any expert depositions on or before November 18, 2005
4. All dispositive motions to be filed on or before December 30, 2005
5. Final Pretrial Conference some date after December 30, 2005

II. Trial by Magistrate Judge

The parties do not consent at this time to trial by a magistrate judge.

III. Local Rule 16.1(D)(3) Certification

A certification signed by the Plaintiff and his counsel is attached. A certification signed by the Defendant and its counsel will be filed.

Respectfully submitted for the  
the Plaintiff,  
DARREN M. DUMONT  
By his attorney,

/s/ David J. Berg  
David J. Berg, Esq.  
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Respectfully submitted for the Defendant  
UNITED STATES OF AMERICA

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By: /s/ James B. Re  
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Of Counsel to the United States

Dated: March 28, 2005

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the within document with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to all counsel of record.

Respectfully submitted for the  
the Plaintiff, by his attorney,

/s/ David J. Berg  
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